

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 04-10387-RGS
)	
WILLIE DANCY,)	
)	
Defendant.)	

**JOINT MOTION TO CONTINUE TRIAL DATE AND TO EXCLUDE
THE TIME FROM MAY 5, 2008 THROUGH SEPTEMBER 22, 2008,
AND FOR AN ORDER ON EXCLUDABLE DELAY**

The Parties hereby file this motion to request that the Court continue the trial date, which is presently scheduled for May 5, 2008, until September 22, 2008. As grounds therefor, the government states as follows:

1. Several of the government's witnesses will be out of the Commonwealth and unavailable the week of May 12th due to family vacation and work obligations.

2. Defendant needs additional time in order to have an expert examine and analyze a turret tape recently provided by the government.

The Parties also move, pursuant to 18 U.S.C. §3161(h)(8)(A) and Section 5(c)(1)(A) of the Plan for the Prompt Disposition of Criminal Cases of the United States District Court for the District of Massachusetts, to exclude the time within which trial must commence under 18 U.S.C. §3161(c)(1), excluding from such computation all time, commencing on May 5, 2008 and concluding on September 22, 2008.

WHEREFORE, the government respectfully requests, under 18

U.S.C. §3161(h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice are served by granting the requested exclusion, and that said exclusion outweighs the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude all time, **commencing on May 5, 2008, and concluding on September 22, 2008**, in computing the time within which trial must commence under 18 U.S.C. §3161, and request that the Court enter an Order of Excludable Delay.

Respectfully submitted,

Counsel for Defendant
WILLIE DANCY

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By:

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Date: April 9, 2008